

Amendment No. 1 to SB2039

Crowe
Signature of Sponsor

AMEND Senate Bill No. 2039*

House Bill No. 2061

by deleting all language after the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 71-3-104(d), is amended by deleting subsection (d) in its entirety and by substituting instead the following language:

(d)

(1) Except as provided in this part or as otherwise required by federal law, no family shall receive assistance if that family includes an adult who has received temporary assistance from this program or the program of any other state or territory for a total lifetime eligibility period of forty-eight (48) months, except as determined by the department pursuant to subdivision (2).

(2) The department shall establish, by rule, criteria on which to determine, no sooner than six (6) months and no later than three (3) months from the end of the forty-eight (48) month lifetime eligibility period, if a recipient's total lifetime eligibility period for temporary assistance should be extended beyond forty-eight (48) months. The criteria for extension of the lifetime eligibility period for temporary assistance shall be based upon:

(A) An intelligence quotient measurement of the caretaker relative demonstrating that it is unlikely that the caretaker relative can successfully complete work activity requirements within the forty-eight (48) month lifetime eligibility period without the extension of the eligibility period;

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(B) The determination that an assistance unit contains a child with severe physical, intellectual or learning disabilities, or a caretaker relative or other member of the assistance unit who has severe physical or intellectual disabilities; or

(C) The documented social history of the caretaker relative that demonstrates that the caretaker relative is a victim of domestic violence that impedes the caretaker relative's ability to comply with work activity requirements for temporary assistance; or,

(D) The determination that the caretaker relative has a current dual diagnosis of mental illness and substance abuse that has prevented or will prevent compliance with the work activity requirements for temporary assistance during the forty-eight (48) month lifetime eligibility period.

(3) As to a child who was not the head of a household or who was not married to the head of a household, the forty-eight (48) month, or extended time limit, shall not begin to run during the time that the child was a member of a family receiving assistance under this part.

(4) A family shall be eligible for temporary assistance beyond the forty-eight (48) month, or extended, time limit stated in subdivision (d)(1) if:

(A) The family does not contain an adult;

(B) The caretaker relative is sixty-five (65) years of age or older,

(C) The caretaker relative is caring for a disabled or incapacitated child relative or disabled adult relative, based upon criteria set forth in the department's rules;

(D) The caretaker relative is disabled, based upon criteria set forth in the departments rules; or

(E) As otherwise required by federal and state laws or regulations.

(5) The exemptions in subdivision (d)(4) are subject to the limitations for the percentages of individuals allowed to receive temporary assistance beyond forty-eight (48) months.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it, and this act shall apply to temporary assistance cases with application dates beginning on and after July 1, 2015.